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Attorneys for Plaintiff
CLOAKWORKS, INC.

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

CLOAKWORKS, INC.

Plaintiff,

v.

CLOAKWARE, INC.,

Defendant.

Case No. CV 08-02044 PJH

**STIPULATED REQUEST TO
RESCHEDULE CASE MANAGEMENT
CONFERENCE AND [PROPOSED]
ORDER**

Pursuant to Civil Local Rules 6-2 and 7-12, Plaintiff Cloakworks, Inc. ("Plaintiff") and Defendant Cloakware, Inc. ("Defendant") hereby stipulate through their respective counsel of record as follows:

1 WHEREAS, on or about April 18, 2008, Plaintiff filed its Complaint;

2 WHEREAS, on May 5, 2008, this case was reassigned to the Honorable Phyllis J.

3 Hamilton, and a Case Management Conference is scheduled to be held on August 7, 2008;

4 WHEREAS, Plaintiff's lead counsel is unavailable to attend the Case Management

5 Conference in this case on this date because he is scheduled for a trial in Alaska, to begin

6 August 1 and proceed for two weeks; said trial is a multi-party trial which is not likely to be

7 postponed; and Plaintiff's counsel believes it is in his client's best interest for him to attend the

8 Case Management Conference;

9 WHEREAS, no previous extensions of time has been granted in this case;

10 WHEREAS, no trial date has yet been set in this action; and

11 WHEREAS, the parties have conferred and mutually agreed that they are available for a

12 Case Management Conference on September 4, 2008 at 2:30pm;

13 NOW THEREFORE the parties through their undersigned counsel hereby stipulate and

14 request the Court to continue the Case Management Conference to occur September 4, 2008 at

15 2:30pm, or on a date as soon thereafter as is available with the Court, and that the other dates

16 scheduled in the Court's Order Setting Initial Case Management Conference and ADR

17 Deadlines are continued accordingly.

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IT IS SO STIPULATED

Dated: July 23, 2008

WILMER CUTLER PICKERING HALE
AND DORR

By: /s/ Mark D. Selwyn
Mark D. Selwyn

Attorneys for Defendant Cloakware, Inc.

Dated: July 23, 2008

HOSIE RICE LLP

By: /s/George F. Bishop
George F. Bishop

Attorneys for Plaintiff Cloakworks, Inc.

I hereby attest pursuant to General Order 45.X.B. that concurrence in the electronic
filing of this document has been obtained from the other signatories.

DATED: July 23, 2008

/s/George F. Bishop
George F. Bishop

ORDER

Pursuant to the stipulation of the parties, it is hereby ORDERED that the Case Management Conference is reset to September 4, 2008 at 2:30pm, and that the other dates scheduled in the Court's Order Setting Initial Case Management Conference and ADR Deadlines are continued accordingly.

SO ORDERED

July __, 2008

Honorable Phyllis J. Hamilton
United States District Judge